

Remarks

Claims 1-71 are pending in the application. Claims 45-49 are currently amended. Claims 72-74 have been cancelled. Applicants reserve the right to present any canceled subject matter in one or more continuation or divisional applications.

In an Office Action dated July 6, 2005, the Examiner imposed a restriction requirement under 35 U.S.C. §121 requiring Applicant to elect one of the eight inventions set forth by the Examiner. Group 1 includes claims 1-10, 13-37, 40-44, 49, 54-68, 72, drawn to compounds of G2, provided that G1 is excluded. Group 2 includes claims 1-44, 49, 54-68, 72, drawn to compounds of G3, provided that G1 is excluded. Group 3 includes claims 1-9, 13-36, 40-44, 49, 54-68, 72, drawn to compounds of G4, provided that G1 is excluded. Group 4 includes claims 24-43, 54-68, 72, drawn to compounds which do not contain B-10. Group 5 includes claims 69-71, drawn to a method of using the compounds of Group 1. Group 6 includes claims 69-71, drawn to a method of using the compounds of Group 2. Group 7 includes claims 69-71, drawn to a method of using the compounds of Group 3, and Group 8 includes claims 69-71, drawn to a method of using the compounds of Group 4.

Applicant elects Group 6, claims 69-71, drawn to a method using the compounds of Group 2.

The Examiner has indicated that claims 45-48 and 50-53 are not grouped because they are not properly dependent. In response to the Examiner's objection, Applicant has amended claims 45-49 to depend on a claim (claim 44) that recites a detectable radionuclide. With this amendment, claims 50-53 also depend on a claim that recites detectable radionuclide (claim 44). Applicant has cancelled claims 73-74 which were objected to as not being a proper statutory class. Claim 72 also is cancelled.

The Examiner has also requested that Applicant elect a disclosed species for prosecution under 35 U.S.C. §121. Applicant has chosen Group 6 for prosecution, consequently, election of (a) a method of treating a tumor-bearing mammal, or (b) a method of imaging a tumor is required. Applicant elects the species of (a), a method of treating a tumor-bearing mammal.

Conclusion

Examination of the elected claims is respectfully requested.

The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account 11-0980.

Respectfully submitted,

A handwritten signature in cursive script that reads "Madeline Johnston".

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